



**UNITED STATES DEPARTMENT OF COMMERCE  
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TS

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/118,100	07/17/98	LEE	H 678-139 (P841)

LM71/0503

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EXAMINER

GARY, E

ART UNIT

PAPER NUMBER

2744

DATE MAILED:

05/03/00

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/118,100

Applicant(s)

Lee

Examiner

Erika A. Gary

Group Art Unit  
2744



☒ Responsive to communication(s) filed on Jul 17, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-12 is/are pending in the applicat

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-12 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 6, 7, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Mardhekar et al., US Patent Number 5,528,558 (hereinafter Mardhekar).

Regarding claim 1, Mardhekar discloses an apparatus for displaying local time information, comprising: means for storing Greenwich mean time (GMT) information for each of a plurality of cities; means for setting a reference time; means for counting a duration of time that elapses from when said reference time is set; means for selecting at least one of said plurality of cities and calculating a local time of said selected city, said local time being based on a difference between the GMT of said selected city and the GMT of a present location of said apparatus, said reference time and said elapsed time; and means for outputting said local time [col. 1: line 63 - col. 2: line 24; col. 11: lines 18-26].

Regarding claim 3, Mardhekar discloses said reference time is set by a user of said apparatus [col. 3: lines 59-60].

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Regarding claim 6, Mardhekar discloses in an apparatus having a display and a memory for storing Greenwich mean time (GMT) information for each of a plurality of cities, a method for generating local time information, comprising the steps of: setting a reference time; counting a time which elapses from said setting of said reference time; selecting at least one of said plurality of cities; calculating a local time of said selected city based on a difference between the GMT of a present location of said apparatus, said reference time and said elapsed; and displaying said calculated local time [col. 1: line 63 - col. 2: line 24; col. 11: lines 18-26].

Regarding claim 7, Mardhekar discloses the step of displaying a message to set a reference time if said step of setting a reference time does not occur [fig. 9; col. 9: lines 11-17].

Regarding claim 9, Mardhekar discloses said reference time is a time set by a user [col. 3: lines 59-60].

3. Claims 6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Kataoka et al., US Patent Number 5,448,532 (hereinafter Kataoka).

Regarding claim 6, Kataoka discloses in an apparatus having a display and a memory for storing Greenwich mean time (GMT) information for each of a plurality of cities, a method for generating local time information, comprising the steps of: setting a reference time; counting a time which elapses from said setting of said reference time; selecting at least one of said plurality of cities; calculating a local time of said selected city based on a difference between the GMT of

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a present location of said apparatus, said reference time and said elapsed; and displaying said calculated local time [figs. 7a, 7b; col. 2: lines 1-10; col. 7: lines 13-44].

Regarding claim 8, Kataoka discloses said step of selecting includes the substeps of: displaying a list of said plurality of cities; and scrolling through said list to select a desired one of said plurality of cities [fig. 1a: refs. 141, 142; col. 16: line 66 - col. 17: line 23].

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mardhekar.

Claim 2 depends on claim 1 and claim 11 depends on claim 6. As discussed above, Mardhekar discloses the limitations of claims 1 and 6. What Mardhekar does not specifically disclose is that the apparatus is a mobile telephone. However, Mardhekar does disclose that the apparatus is a telephone [fig. 1; col. 2: lines 27-29]. At the time of the invention, it would have been obvious to one of ordinary skill in the art to implement Mardhekar's invention in a mobile telephone. The motivation for this would have been to follow the progression of technology,

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wherein features implemented on landline telephones are being readily incorporated into mobile telephones.

6. Claims 4 and 10 rejected under 35 U.S.C. 103(a) as being unpatentable over Mardhekar in view of Smolinske, US Patent Number 5,655,218 (hereinafter Smolinske).

Claim 4 depends on claim 1 and claim 10 depends on claim 6. As discussed above Mardhekar discloses the limitations of claims 1 and 6. What Mardhekar does not specifically disclose is the limitation of claims 4 and 10. However, this limitation is taught by Smolinske as will be discussed below.

Smolinske discloses a mobile telephone displaying chronological information wherein the reference time is acquired from a signal received from a remote system [col. 2: lines 20-34].

Mardhekar and Smolinske are combinable because they are from the same field of endeavor, that is, telephone for displaying time information. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Mardhekar to include Smolinske. The motivation for this combination, suggested by Smolinske, would have been to obtain the reference time information from an outside source to reduce the number of necessary components in the apparatus in order to reduce cost, size, and weight [col. 1: lines 40-55].

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7. Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mardhekar in view of Smolinske.

Claim 5 depends on claim 2 and claim 12 depends on claim 11. As discussed above, Mardhekar suggests the limitations of claims 2 and 11. What Mardhekar does not specifically disclose is the limitation of claims 5 and 12. However, Smolinske teaches this limitation as will be discussed below.

Smolinske discloses a mobile telephone displaying chronological information wherein the reference time is a system time acquired from a sync channel message received by said mobile cellular phone from a base station of a CDMA cellular system [col. 2: lines 20-34, 49-53].

Mardhekar and Smolinske are combinable because they are from the same field of endeavor, that is, telephone for displaying time information. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Mardhekar to include Smolinske. The motivation for this combination, suggested by Smolinske, would have been to obtain the reference time information from an outside source to reduce the number of necessary components in the apparatus in order to reduce cost, size, and weight [col. 1: lines 40-55].

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Nakata, US Patent Number 4,217,653, discloses an electronic apparatus for time calculation.

Yamazaki et al., US Patent Number 5,245,323, disclose an electronic calculator with time display function.

Uchida, US Patent Number 4,779,247, discloses a world clock.

Sharpe, US Patent Number 5,363,377, discloses a communications system and receiver for use therein which indicates time based on a selected time message signal from a central station.

Ishii et al., US Patent Number 5,375,104, disclose mobile terminal equipment for displaying the local time in any desired geographical area.

Chen, US Patent Number 5,708,628, discloses universal time equipment.

Richins, US Patent Number 5,907,523, discloses a multi-time-zone timepiece display.

Beatty et al., US Patent Number 5,920,824, discloses a method for computing current time on a cellular mobile system.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erik Gary whose telephone number is (703) 308-0123. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached on (703) 305-4778.



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703)308-6306 or (703) 308-6296, for formal communication intended for entry (and for informal or draft communications, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive Arlington, VA., Sixth Floor (Receptionist).

Erika Gary

April 26, 2000

*Tracy M. Legree*  
**TRACY M. LEGREE**  
**PATENT EXAMINER** 4260